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1 Dec 2015

Re. Haines Highway MP 3.5 to MP 25.3 Draft Revised Environmental Assessment
DOT&PF/Federal Project Nos. Z686060000/0956028 and the Chilkat Bald Eagle Preserve

Commissioner Sam Cotten
Alaska Department of Fish and Game
1255 West 8th St.
P.O. Box 25526
Juneau, Alaska 99802-5526

Dear Commissioner Cotten,

Audubon Alaska, the state office of the National Audubon Society, recently signed on to a letter asking for improvements in the Haines Highway MP 3.5 to MP 25.3 Draft Revised Environmental Assessment¹. In particular, we support improvements in the plan that would help mitigate potential negative impacts on the globally important concentration of Bald Eagles that breed and winter in the Chilkat Valley. I will not duplicate our comments here, but I would like to take the opportunity to comment on a larger issue pertaining to the Chilkat Bald Eagle Preserve (hereafter called the Preserve).

As you may know, Audubon was instrumental in helping get the Preserve established in 1982. The Preserve has become a great asset to the community and Alaska, and it brings tangible economic benefits to the area. Many Audubon members visit the Preserve, have a strong interest in protecting sensitive salmon and eagle habitats, and we have a long history supporting the continued protection and management of the Preserve.

The Chilkat Bald Eagle Preserve exists because of the Chilkat River's international importance for Bald Eagles and other fish and wildlife resources. From an ornithological perspective alone, the Preserve is home for 200-400 Bald Eagles year round, and in some years, hosts the densest concentration of Bald Eagles (numbering close to 4000 birds) in the world². Bald Eagles tend to build up with the fall salmon run, as long as the river remains unfrozen. Numbers rapidly drop if there is a stretch of cold weather

¹ Haines Highway from MP 3.5 to MP 25.3, Haines, Alaska. Draft Revised Environmental Assessment and Section 4(f) Evaluation, October 2015. DOT&PF Project No. Z686060000, Federal Project No. 0956028

²<http://netapp.audubon.org/iba/Site/2827>

severe enough to freeze the river surface, which typically happens in late November/early December³, but in recent years they may linger well into January. The area also supports a significant and increasing number of breeding Trumpeter Swans⁴.

The Haines community, State of Alaska, and others have shown great foresight in protecting the ecological resources of the Chilkat Valley, culminating in 1982 with the establishment of the Chilkat Bald Eagle Preserve with its own explicit statutes⁵.

The statutes decree that the primary purpose for establishing the Alaska Chilkat Bald Eagle Preserve is to protect and perpetuate the Chilkat Bald Eagles and their essential habitats within the Alaska Chilkat Bald Eagle Preserve in recognition of their statewide, nationally, and internationally significant values in perpetuity⁶. The Alaska Chilkat Bald Eagle Preserve is also established to

- 1) protect and sustain the natural salmon spawning and rearing areas of the Chilkat River and Chilkoot River systems within the preserve in perpetuity;
- 2) provide continued opportunities for research, study and enjoyment of bald eagles and other wildlife;
- 3) ensure to the maximum extent practicable water quality and necessary water quantity under applicable laws;
- 4) provide for other public uses consistent with the primary purpose for which the Alaska Chilkat Bald Eagle Preserve is established; and
- 5) provide an opportunity for the continued traditional and natural resource based lifestyle of the people living in the general areas described in AS 41.21.611 (b), consistent with the other purposes of this subsection and (a) of this section⁷.

Since the Preserve's 1982 establishment, Audubon Alaska and other stakeholders including Lynn Canal Conservation, Rivers Without Borders, Trout Unlimited, the Southeast Alaska Conservation Council, Juneau Audubon, commercial fishing interests, and many passionate individuals of the Haines and Klukwan communities have worked with various State and Federal agencies on issues threatening the integrity of the Preserve. Perhaps the most controversial issue over the past years has been addressing impacts that commercial jet boat tours have had (and continue to have) in the Preserve, especially with respect to spawning salmon and out-migrating salmon. In recent years, in addition to the jet boat issues, the Haines Highway expansion project has generated extensive comments about potential effects on the Preserve.

³ Hansen, A. J., E. L. Boeker, J. I. Hodges, and D. R. Cline. 1984. Bald Eagles of the Chilkat Valley, Alaska: ecology, behavior, and management. Natl. Audubon Soc., New York, NY USA.

⁴ <http://netapp.audubon.org/iba/Site/2827>

⁵ Alaska Statutes 41.21.610 - 41.21.630

⁶ *Ibid.*

⁷ Alaska Statutes 41.21.610 - 41.21.630

As these real and potential threats to the Preserve pile up, Audubon is increasingly concerned with the cumulative impacts all of these activities are having and will have on to the ecological health of the Preserve. As far back as 2001, in a letter to the Alaska Department of Natural Resources (DNR) in support of DNR's plan revision process for the Preserve, Audubon recommended three actions in the Preserve which deserve repeating and immediate implementation⁸:

- DNR, in collaboration with the Alaska Department of Fish and Game and the U.S. Fish and Wildlife Service, should develop and implement a long-term monitoring program for commercial and recreational use of the preserve to measure those activities' effects on fish and wildlife habitat and populations (emphasizing salmon and bald eagles).
- DNR, in collaboration with the Alaska Department of Fish and Game and the U.S. Fish and Wildlife Service, should consider identifying research needs and developing a long-term research strategy for the preserve.
- DNR should apply an adaptive management approach to the preserve to proactively prevent damage to preserve resources from increasing or incompatible human uses of the preserve. The monitoring and research programs described above would be essential for applying adaptive management.

Almost 15 years later, we still lack many of these elements. Glaringly absent are any recent comprehensive, standardized population estimates for fall and winter Bald Eagle populations using the Preserve. This has confounded interpretation of other count data of Bald Eagles in the Preserve as noted by the recent assessment of perch use and possible impacts of the proposed Haines Highway realignment on Bald Eagles at the Preserve⁹. In the meantime, habitat quality in the Preserve is being chipped away by jet boats, highway expansion, and other issues while environmental impact assessments dismiss concerns about the continued degradation of the Chilkat Valley's ecosystem, despite not having population trend data for many of the Preserve's biota.

The Chilkat Valley and the Preserve will face continued pressures. Tourism remains strong in Alaska¹⁰, and many people come to the Preserve to view fish and wildlife. Mining companies like Constantine Metal Resources Ltd. are developing prospects around Haines which if permitted will result in significant additional truck traffic along the highway to Haines¹¹ and may compromise water quality inside the Preserve. The Preserve also faces ecological uncertainties due to changes in Alaska's climate.

⁸ Letter sent July 27, 2001 to Bruce Phelps, Chief Planner, Alaska Department of Natural Resources; cc. Tony Knowles, Governor; Pat Pourchot, Commissioner DNR; Jim Stratton, Director Alaska State Parks; Frank Rue, Commissioner ADF&G; Wayne Regelin, Director, Division of Wildlife Conservation. On file at Audubon Alaska.

⁹ ABR (ABR, Inc. – Environmental Research and Services). 2014. An Assessment of Perch Use and Possible Impacts of Proposed Haines Highway Realignment on Bald Eagles During Fall and Winter, Chilkat River, Alaska. Final Report Prepared for DOWL HKM, February 2014.

¹⁰https://www.commerce.alaska.gov/web/Portals/6/pub/TourismResearch/AVSP/AVSP_VI_2012_Summer.pdf (accessed 17 November 2015)

¹¹ <http://constantinemetals.com/projects/palmer/> (accessed 17 November 2015)

The impacts of these threats to the Preserve are accumulating and Audubon is concerned that there appears to be a decreased management presence and oversight in the Preserve as well as a decline in active research and management programs for eagles, salmon, and other resources. Audubon is a strong believer in using science and monitoring to help guide decisions on the difficult natural resource management issues our state constantly faces. We continue to call on our State and federal agencies to develop a strong adaptive management program at the Preserve, and this should start with the development of a statistically valid, annual monitoring program for Bald Eagles in the Preserve that is tied in to salmon monitoring and research efforts.

Audubon urges the Alaska Department of Fish and Game to abandon the untenable “proof of harm” management strategy apparently still in place and revert back to the precautionary management strategy that was the standard when the Preserve was first established¹². Audubon is, of course, aware of the State’s budget situation. The lack of research and data available for the Preserve and on many other state lands, only emphasize the need for cautious management of our natural resources.

The Alaska Chilkat Bald Eagle Preserve is a treasure for the Haines and Klukwan communities, the State of Alaska, and the Nation; and its avian resources are of international significance. We want to ensure the Preserve stays ecologically healthy in perpetuity as mandated by our State laws.

Thank you for this opportunity to comment. Feel free to give me a call if you have any questions or comments.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Nils Warnock', with a long horizontal flourish extending to the right.

Nils Warnock, Ph.D.
Executive Director
nwarnock@audubon.org

Cc. Marc Luiken, Commissioner, Department of Transportation and Public Facilities; Mark Myers, Commissioner, Department of Natural Resources; Bruce Dale, Director, Division of Wildlife Conservation; Ben Ellis, Director, Division of Parks and Outdoor Recreation; Geoff Haskett, Regional Director, Alaska, U.S. Fish and Wildlife Service.

¹² David Cline. Chilkat eagle sanctuary needs help. Alaska Dispatch News Commentary, 21 May 2007.